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REMARKS

The above amended paragraphs of the specification overcome some informalities noted in the specification on file. The undersigned avers that the amended paragraphs of the specification do not contain any new subject matter.

Claims 31-59 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons noted in the official action. The rejected claims are accordingly amended, by the above claim amendments, and the presently pending claims are now believed to particularly point out and distinctly claim the subject matter regarded as the invention, thereby overcoming all of the raised § 112, second paragraph, rejections. The entered claim amendments are directed solely at overcoming the raised indefiniteness rejection(s) and are not directed at distinguishing the present invention from the art of record in this case.

Next, claims 31, 35 and 55 are rejected, under 35 U.S.C. § 102(e), as being anticipated by Hegerath '599. The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

Initially, the Applicant thanks the Examiner for indicating that claims 32-34, 36-54, 56 and 57 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claim(s). In accordance with this indication, claims 54 and 56 are both appropriately revised, to be independent claims, and those two amended independent claims are now believed to be allowable. With respect to the remaining claims, the above requested claim amendments and the following remarks are submitted concerning the allowability of those claims.

The presently claimed invention relates to an assembly which comprises first and second friction shifting elements 2, 3 which are both activated by pressure. The assembly further comprises first and second disc packets 8, 9 which each have inner discs 10, 11 and outer discs 12, 13 secured to respective disc carriers and the disc packets are actuated by respective first and second servo devices 4, 5. The inner discs 10, 11 of the first and the second friction shifting elements 2, 3 are both supported by a radially outwardly facing surface of a common inner disc carrier 16. The inner disc carrier 16 comprises a radial pot base 26 and a common annular surface which is connected with a periphery of the pot base 26. The common annular surface supports the inner discs 10, 11 of both the first and the second friction shifting elements 2, 3 and the pot base 26 and the common annular surface form a pot-shaped structure which is axially opened at one end thereof.

The first and second servo devices 4, 5 are both accommodated within a pot space 27 defined by the pot-shaped structure of the inner disc carrier 16 and both devices are located

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at least partially axially adjacent one other in the pot space 27 and radially inward of the first and the second disc packets 8, 9. The first and the second friction shifting elements 2, 3 are each activated individually and independent of one another by the respective first and second servo devices 4, 5. The common inner disc carrier 16 for both the first and the second friction shifting elements 2, 3, has radial openings 21, 22, 23, 36, 37, 53, 58 and 59 distributed on a circumference thereof in an axial area between both the disc packets 8, 9.

The present invention also relates to associated pistons which have fingers that penetrate radial through the common inner disc carrier and these fingers are located for activation of the disc packet of the first friction shifting element. As indicated by the Examiner in the Official Action, these features are allowable—see for example allowable claims 32, 35, 36, 38, 39 and 40.

Turning now to the applied art of Hegerath '599, the Applicant notes that this reference arguably discloses a somewhat similar structure to the presently claimed invention. Although Hegerath '599 discloses a common disc carrier, i.e., a clutch web 10, which supports the inner discs 12 for both of the disc packets, the Applicant notes that the common disc carrier (clutch web 10) *does not form or define a pot space which accommodates both the first and the second servo devices*. As can be seen in FIGS. 1 and 2 of Hegerath '599, a first one (unit 21) of the devices is located on one side of a radially extending wall of the clutch web 10 while a second one (unit 21) of the devices is located on the opposite side of a radially extending wall of the clutch web 10. That is, each clutch assembly is a structural mirror image of the other clutch assembly supported by the clutch web 10 without any extension fingers or openings within the inner disc carrier to allow fluid to flow therethrough or the extension of fingers to extend therethrough and actuate the disc assemblies (see Hegerath '599 paragraph [0026, 0032]). According to Hegerath '599, the friction-disk carrier 11 extends axially and does not form a pot shaped structure which surrounds the two-piston cylinder units 21 or any other servo device which activates the disk assembly (see Hegerath '599 paragraph [0026]).

In order to emphasize the above noted distinctions between the presently claimed invention and the applied art, the independent claims of this application now recite the features of

... the inner discs (10, 11) of the first and the second friction shifting elements (2, 3) are supported by a radially outwardly facing surface of a common inner disc carrier (16); the inner disc carrier (16) comprises a radial pot base (26) and a common annular surface, connected with a periphery of the pot base (26), which supports the inner discs (10, 11) of both the first and the second friction shifting elements (2, 3) and the pot base (26) and the common

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annular surface form a pot-shaped structure which is axially opened on one end thereof; the respective first and second servo devices (4, 5) are both located primarily within a pot space (27) defined by the pot-shaped structure of the inner disc carrier (16) as well as at least in part axially adjacent each other and radially inwardly of the first and the second disc packets (8, 9) of the first and the second friction shifting elements (2, 3) . . . the first and the second friction shifting elements (2, 3) are activated individually and independent of each other by the respective first and second servo devices (4, 5); the common inner disc carrier (16), for both of the first and the second friction shifting elements (2, 3), has radial openings (21, 22, 23, 36, 37, 53, 58, 59) distributed on a circumference thereof in an axial area between both the disc packets (8, 9).

Such features are believed to clearly and patentably distinguish the presently claimed invention from all of the art of record, including the applied art.

In view of the above brief discussion, it is apparent that Hegerath `599 fails to in any way teach, suggest, disclose or remotely hint at the structural features of a pot shaped common inner disc carrier or several fingers that penetrate the disc carrier. In view of the above, the Applicant respectfully requests that the raised anticipation rejection of the pending claims, under 35 U.S.C. § 102 in view of Hegerath `599, should be withdrawn at this time.

Lastly, claims 58 and 59 are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Hegerath `599 in view of Park `177. The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the above amendments and the following remarks.

The Applicant acknowledges that the additional reference of Park `177 may arguably relate to the feature(s) indicated by the Examiner in the official action. Nevertheless, the Applicant respectfully submits that the combination of the base reference of Hegerath `599 with this additional art of Park `177 still fails to in any way teach, suggest or disclose the above distinguishing features of the presently claimed invention. As such, all of the raised rejections should be withdrawn at this time in view of the above amendments and remarks.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejections of claims 31-59 should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Hegerath `599 and/or Park `177 references, the Applicant respectfully

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requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

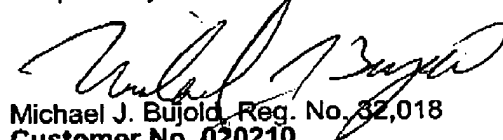
Upon receipt of this response, the Examiner is respectfully requested to contact the undersigned representative of the Applicant to arrange a telephone interview concerning the inventive merits of this application.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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